**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**ORDINARY ORIGINAL CIVIL JURISDICTION**

Income Tax Appeal No. 218 of 2004

The Commissioner of Income Tax .. Appellant
V/s.
M/s. Realty Finance & Leasing Pvt. Ltd. .. Respondent

Ms. S.V. Bharucha for the Appellant
None present for the Respondent

**CORAM : S. RADHAKRISHNAN &**
**J.P. DEVADHAR, JJ.**
**DATED : 10.01.2005**

**P.C.:-**

1. Heard the learned counsel for the Appellant. The issue involved in the present Appeal has already been concluded by a judgment of our Court in **C.I.T. Vs. J.K. Investors (Bombay) Ltd. 248 ITR 723.** Under these circumstances, we are not inclined to entertain the above Appeal. The Appeal stands dismissed. The learned counsel for the Appellant submits that against the aforesaid judgment of our Court, a Special Leave Petition has already been preferred before the Supreme Court.

**(S. RADHAKRISHNAN, J.)**

**(J.P. DEVADHAR, J.)**